

Voting Rights for People with Disabilities

Frequently Asked Questions



Self Advocacy Series

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This handbook is designed to assist individuals with disabilities in understanding their voting rights.

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**Advocating and advancing
the human, civil and legal rights
of people with disabilities**

Disability Rights New Jersey

1-800-922-7233 (New Jersey only)

609-292-9742

609-633-7106 (TTY); Dial “711” for Relay

210 S. Broad Street, 3rd Floor

Trenton, New Jersey 08608

www.drnj.org

- Se Habla Español

Joseph B. Young
Executive Director

Introduction

All adult citizens who are eligible to vote, including citizens with disabilities, have a fundamental right to vote and cast a confidential ballot at their local polling place. As a person with a disability, you may be faced with obstacles to the voter election process, including the physical accessibility of the location of your polling place and accessibility features of the voting machine. This booklet provides information to help you learn about your rights and the possible barriers you may face, to help ensure that you are provided an equal opportunity to vote.

Who is eligible to vote?

In order to be eligible to vote, you must be 18 years of age, a United States citizen, reside in New Jersey for at least 30 days, and be properly registered.

How far in advance must I register to be eligible to vote?

You must register to vote at least 21 days prior to election day.

Am I eligible to vote if I have a guardian?

Yes, unless the judge made a specific determination in your case that you do not have the capacity to vote.

What are my rights while casting my ballot?

- All polling places must be physically accessible. This means that the location must be free of physical

obstructions such as steps and curbs in the parking lot, at the entrance and in the voting area.

- Each polling place must have one accessible voting machine, allowing sight impaired voters to verify and cast ballots without assistance and in privacy.
- You have the right to request a reasonable accommodation. It may be something as simple as requesting additional time to complete the voting process or requesting a chair to sit on while waiting in line.
- You may obtain assistance to vote from a person of your choice. If you have no one to assist you, a person from each political party will enter the booth to provide assistance to you.
- You may correct your vote or vote orally.
- You may bring children into the voting booth.

Who do I ask for help?

You may request assistance and/or accommodations from the poll workers. If you experience difficulties in obtaining your accommodations from the poll workers, you may contact the County Board of Elections.

What can I do if the polling place is inaccessible?

If the polling place is inaccessible, report it to your county board of elections and to the New Jersey State Division of Elections. A list of the county boards and the contact information for the State Division of Elections may be found at the end of this

publication. You may also request that a paper ballot be brought outside to you.

Must I provide identification in order to vote?

- If you are a first-time voter and registered by mail, you must provide proof of identity at some point in the process, either during registration, when voting in person, or when voting by mail.
- You may provide a current and valid ID, a bank statement, paycheck, utility bill or other government document that shows your name and address.
- There is no requirement that you provide photographic identification.

What if I am not on the registration list when I appear to vote?

If your name does not appear on the registration list, you must be given the opportunity to sign an affidavit asserting that you are registered. You should then be given a provisional ballot. In addition, you may also go to your county court to argue your ability to vote. If you obtain a court order allowing you to vote, you will be given a regular ballot and the vote will be counted.

What is a provisional ballot?

Provisional ballots are kept separate from regular ballots. The Board of Elections must make a determination after the election as to whether you as the voter were appropriately registered. If there is no proof that you were appropriately registered, the

provisional ballot will not be counted. If there is proof of registration, your provisional ballot will be counted.

If I move, where can I vote?

It depends on where you move and when.

- If you move to a different county after the registration deadline, you may go back to your former county to vote or you may use a vote by mail ballot from that county.
- If you move to a different county prior to the registration deadline, you must re-register and vote in the new county.
- If you move within the same county but to a different polling location after the registration deadline, you may vote by provisional ballot in the new polling location.
- If you move within the same polling location, you may change your address the day of the election.

What are vote by mail ballots?

- Vote by mail ballots were formerly known as absentee ballots. You may request a vote by mail ballot for any reason. Once a vote by mail ballot is requested for a specific election, you may not vote in person for that election.
- You may request a vote by mail ballot up to seven days prior to the election through the mail, or obtain an application in person up until 3:30 p.m. the day before the election. A request made after the 3:30 deadline must be

brought as an emergent application before a judge in your county.

- All vote by mail applications must be returned by 8 p.m. on Election Day.

What can I do if someone challenges my right to vote at the polling place?

- A challenger to your right to vote must complete an affidavit explaining why they believe you should not be eligible to vote. You have a right to the copy of the challenger's affidavit and the right to complete your own Challenged Voter Affidavit.
- The County Board of Elections will consider the challenge. If the Board upholds the challenge you may appeal to the County Courthouse, where a judge will rule on your ability to vote that day. You have a right to obtain all challenge affidavits to submit with your appeal.

How do I obtain transportation to my polling place?

Transportation may be difficult on state election days as it is a state holiday.

- New Jersey Transit may run on a holiday schedule and county para-transits may not operate.
- The local Democratic or Republican party may provide transportation assistance.
- The area independent living center may be available to provide transportation to the polling locations. A list of the

Centers for Independent Living (CILs) may be found at the end of this publication.

- If you know that you will have difficulty obtaining transportation to the polling site, you have the option of requesting a vote by mail ballot.

Are advocacy organizations available to assist me if I have difficulties with voting?

For disability-related voting issues, you may contact:

Disability Rights New Jersey

210 S. Broad Street, 3rd Floor

Trenton, New Jersey 08608

1-800-922-7233 (NJ only)

609-292-9742

609-777-0187 (fax)

609-633-7106 (TTY)

www.drnj.org

For non-disability related voting issues, you may contact:

ACLU/League of Women Voters

1-800-792-8683

New Jersey Division of Elections

New Jersey Department of State

1-877-NJVOTER

njelections@sos.state.nj.us

www.state.nj.us/state/elections/index.html

County Boards of Elections

Atlantic County

609-645-5875

<http://www.aclink.org/boardofelections/index.asp>

Bergen County

201-336-6225

<http://www.co.bergen.nj.us/paboe/index.htm>

Burlington County

609-265-3131

<http://www.co.burlington.nj.us/pages/viewdepartment.aspx?did=30>

Camden County

856-661-3616

<http://www.camdencounty.com/government/offices/elections/index.html>

Cape May County

609-465-1639

<http://www.co.cape-may.nj.us/cit-e-access/webpage.cfm?TID=5&TPID=801>

Cumberland County

856-453-5801

<http://www.co.cumberland.nj.us/content/173/251/1901/957.aspx>

Essex County

973-621-5071

Gloucester County

856-384-4500

<http://www.co.gloucester.nj.us/government/departments/elections/boardofelections/cfm>

Hudson County

201-369-3435

Hunterdon County

908-788-1190

<http://www.co.hunterdon.nj.us/depts/elect/electbd.htm>

Mercer County

609-989-6522

<http://www.state.nj.us/counties/mercerc/commissions/elections/>

Middlesex County

732-745-3471

<http://www.co.middlesex.nj.us/elections/index/asp>

Monmouth County

732-431-7150

<http://www.visitmonmouth.com/page.aspx?ID=897>

Morris County

973-285-8350

<http://www.morriselections.org/>

Ocean County

732-506-5110

<http://www.co.ocean.nj.us/electionboard/>

Passaic County

973-881-4527

<http://passaiccountynj.org/Departments/window-elections.htm>

Salem County

856-935-7510 ext. 8330

<http://www.salemcountynj.gov/cmssite/default.asp?contentID=731%20>

Somerset County

908-231-7084

<http://www.co.somerset.nj.us/elections/>

Sussex County

973-579-0950

<http://www.sussex.nj.us/cit-e-access/webpage.cfm?TID=7&TPID=1503>

Union County

908-527-4123

<http://www.unioncountynj.org/electionboard/index.html>

Warren County

908-475-6313

<http://www.co.warren.nj.us/election.html>

Centers for Independent Living

Atlantic County

Total Living Center

Phone: 609-645-9547

TTY: 609-645-9593

www.tlcenter.org

Bergen County

Heightened Independence and Progress, Inc. (HIP)

Phone: 201-996-9100

TTY: 201-996-9424

www.hipcil.org

Burlington County

Resources for Independent Living (RIL)

Phone: 609-747-7745

TTY: 609-747-1875

www.rilnj.org

Camden and Gloucester Counties

Center for Independent Living South Jersey (CILSJ)

Phone: 856.853.6490

TTY: 856.853.7602

www.cilsj.org

City of Camden

Camden City Independent Living Center, Inc.

Phone: 856.966.0800

TTY: 856.966.0830

<http://camdencityilc.org>

Cape May, Cumberland and Salem Counties

Tri-County Independent Living Center, Inc.

Phone: 856.327.5177

TTY: 856.327.5328

www.tricountycil.org

Essex and Passaic Counties

DIAL, Inc. Center for Independent Living

Phone: 973.470.8090

TTY: 973.470.2521

Toll Free 866.277.1733

www.dial-cil.org

Hudson County

Heightened Independence and Progress, Inc. (HIP Hudson)

Phone: 201.533.4407

TTY: 201.533.4409

www.hipcil.org

Hunterdon and Mercer Counties

Progressive Center for Independent Living (PCIL)

Phone: 908.782.1055

TTY: 908.782.1081

Toll Free: 877.376.9174

www.pcil.org

Middlesex, Somerset and Union Counties

Alliance for Disabled in Action (ADA)

Phone: 732.738.4388

TTY: 732.738.9644

www.adacil.org

Monmouth and Ocean Counties

MOCEANS Center for Independent Living, Inc.

Phone: 732.571.4884

TTY: 732.571.4878

www.moceanscil.org

Morris, Sussex and Warren Counties

DAWN Center for Independent Living, Inc.

Phone: 973.625.1940

TTY: 973.625.1932

Toll Free: 888.383-DAWN (3296)

www.dawncil.org

Internet Resources

- www.vote411.org
- www.justice.gov/crt/voting
- www.aapd.com/site/c.pvI1IkNWJqE/b.5606967/k.63BD/Disability_Vote_Project.htm
- www.eac.gov
- www.govoter.org
- www.civilrights.org/voting-rights
- www.vote-smart.org
- www.electionaccess.org
- www.fec.gov

Disability Rights New Jersey (DRNJ) is the State's federally funded protection and advocacy system for people with disabilities. DRNJ is a private, non-profit, consumer driven organization with a mission to advocate and advance the human, civil and legal rights of person with disabilities.

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